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4 IN THE UNITED STATES DISTRICT COURT  
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 JOSEPH LAVERY,

No. C-13-3463 TEH (PR)

9 Plaintiff,

10 v.

ORDER OF TRANSFER

11 DR. B. DHILLON, et al.,

12 Defendants.  
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14  
15 Plaintiff Joseph Lavery, a state inmate incarcerated at  
16 California Medical Facility (CMF) located in Vacaville, California,  
17 has filed a pro se complaint under 42 U.S.C. § 1983 alleging  
18 violations of his constitutional rights by the staff at CMF.  
19 Specifically, Plaintiff alleges that a nurse on the CMF medical  
20 staff intended to inject Plaintiff in his muscle and instead the  
21 needle hit Plaintiff's sciatica nerve. Plaintiff immediately sought  
22 treatment for this injury, but was refused treatment by CMF medical  
23 staff. Plaintiff was told his symptoms would get better, but they  
24 got worse. Doc. #5.

25 All of the events or omissions giving rise to Plaintiff's  
26 claims occurred at CMF, which is located in Solano County, within  
27 the venue of the Eastern District of California. See 28 U.S.C.  
28 § 84(b). Venue therefore properly lies in the Eastern District.


1 See 28 U.S.C. § 1391(b).

2 Accordingly, in the interest of justice and pursuant to 28  
3 U.S.C. § 1406(a), this action is transferred to the United States  
4 District Court for the Eastern District of California.

5 The Clerk shall transfer this matter, terminate all  
6 pending motions as moot and close the file.

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8 IT IS SO ORDERED.

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10 DATED 10/04/2013

  
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THELTON E. HENDERSON  
United States District Judge

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